

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CLARENCE D. JOHNSON, JR.,

Plaintiff-Appellant,

v.

CDC, *et al.*,

Defendants-Appellees.

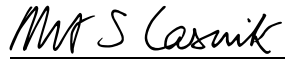
NO. C21-0572RSL

CERTIFICATION

On July 19, 2021, the above-captioned matter was dismissed because the allegations of the complaint did not give the named defendants fair notice of the claims against them or give rise to a plausible inference that plaintiff is entitled to relief under. Plaintiff has now appealed the dismissal. This matter is again before the Court to determine whether *in forma pauperis* status should be permitted on appeal. Dkt. # 15.

Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith.” For purposes of this statute, “good faith” is generally established “by the presentation of any issue that is not plainly frivolous.” *Ellis v. U.S.*, 356 U.S. 674 (1958). Having again reviewed the allegations of the complaint, the Court finds that plaintiff’s claims are frivolous and this appeal is not taken in good faith.

1 Dated this 16th day of August, 2021.

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3 Robert S. Lasnik
4 United States District Judge
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